

MINUTES
WOODSTOCK CITY COUNCIL
EMERGENCY MEETING
City Council Chambers
May 12, 2020

A special emergency meeting of the Woodstock City Council was called to order at 7:00 PM on Tuesday, May 12, 2020, by Mayor Sager in the Council Chambers at Woodstock City Hall. Mayor Sager stated this is an Emergency Meeting of the City Council regarding a discussion associated with the COVID-19 public health emergency. He stated this meeting is being held under the Mayor's Emergency Declaration with some Council members attending remotely and those attending at City Hall observing social distancing. Noting there are no members of the public attending the meeting in person, Mayor Sager stated it is being livestreamed as is the City's policy. He explained the procedures to be used by the City Council, City Staff, and the Public to join today's meeting, including how comments may be made and questions asked, and invited all to participate. Noting the agenda has been posted as required, Mayor Sager explained the items included on the agenda.

Noting a technical difficulty with the Zoom webinar process, the Mayor called for a brief recess at 7:10 PM.

The meeting was reconvened at 7:19 PM. The Mayor noted all technical difficulties were resolved with all able to participate remotely who wished to do so. He reiterated his previous comments.

A roll call was taken.

COUNCIL MEMBERS PRESENT IN THE COUNCIL CHAMBERS: Mayor Brian Sager.

COUNCIL MEMBERS ATTENDING REMOTELY: Darrin Flynn, Lisa Lohmeyer, Wendy Piersall, Jim Prindiville, Gordon Tebo, and Michael Turner.

COUNCIL ABSENT: None

STAFF PRESENT IN THE COUNCIL CHAMBERS: City Manager Roscoe Stelford and Economic Development Director Garrett Anderson.

STAFF ATTENDING REMOTELY: Assistant City Manager/Finance Director Paul Christensen, City Attorney Ruth Schlossberg, IT Director Dan McElmeel, and Human Resources Director Debbie Schober.

OTHERS PRESENT IN THE COUNCIL CHAMBERS: City Clerk Cindy Smiley

OTHERS ATTENDING REMOTELY: none

Mayor Sager noted the presence of a quorum under the revised rules of the Governor during this COVID emergency. City Clerk Smiley confirmed the agenda before the Council is a true and correct copy of the published agenda.

FLOOR DISCUSSION

B. Public Comments

There were no comments forthcoming from the Public.

C. Council Comments

There were no comments forthcoming from the City Council.

AGENDA

1. Affirmation of State of Emergency (COVID-19 Emergency)

Motion by G. Tebo, second by D. Flynn for the City Council to affirm the Continuation of the Mayor's Emergency Declaration through May 30, 2020.

In response to a question from Mayor Sager there were no questions or comments forthcoming from the Public or the City Council.

A roll call vote was taken. Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, M. Turner, and Mayor Sager. Nays: none. Abstentions: none. Absentees: none. Motion carried.

2. Consideration of Recommendations for Local Business Support in Preparation of Re-Opening – COVID-19

Mayor Sager stated he does not believe there has ever been a situation more difficult and challenging than the current situation, noting there are two very important and complementary values which must be upheld. He noted Mr. Stelford, Mr. Anderson, and he have spent many, many hours addressing individuals' concerns and trying to understand the two sides of the issue. He stated everyone must try to come together and identify how to move forward, which is the role and responsibility of leadership and of the City Council. Mayor Sager stated everyone should be aware of and understand the parameters established by the Governor's extended emergency order and of his announced Restore Illinois Program.

Mayor Sager stated of all of the underlying values the Council is in office to protect, it is the health and welfare of our community and businesses that is foremost. He stated another important value is the economy and the financial stability of the community. He opined one value cannot be pitted against the other, noting both sides must understand one another. Mayor Sager stated it must be acknowledged if a business fails, individuals lose their livelihoods and people their life's investment and everything they have put into their business venture. He stated all of those individuals as well as the employees of those businesses rely on that income and use it to support their families.

Mayor Sager stated while it may be said this is too big a task to understand, the reality is this is part of the Council's responsibility. He opined it is health and welfare across the board, protection of the health, and protection of the economy and quality of life. He stated both positions must be respected

and try to understand how we can come to a balanced process which will support both of these underlying values.

Mayor Sager stated he will be asking Council to come to some consensus this evening with any action taken at the next meeting. He stated Council has received numerous e-mails on both sides of this issue: those who want businesses to open quickly and those who want businesses to remain closed following the Governor's plan. He opined the challenge is to find the balanced position to uphold both of these values. He stated the City is trying to follow the Governor's guidelines in Restore Illinois to protect the community while also considering other available options to begin opening up certain opportunities, noting there are still many questions. He again asked for recognition of both sides.

Mayor Sager stated his wish to talk about:

- County-wide efforts;
- City efforts;
- On-going questions about how to try to marry both values; and
- Is it possible to address some community events?

Mayor Sager opened the floor to Council comments.

Councilman Turner expressed his appreciation for Mayor Sager's eloquent comments in stating the differences that exist in the public. He agreed a balance is needed, noting it is not about either/or but rather about trying to find a balance. He expressed his belief Council wishes to do the right thing to guide the community through the storm.

Mayor Sager provided an update on County-wide efforts that have been made by multiple entities coming together, noting Woodstock is not the only community or county facing this.

He stated various entities have been working together in collaboration including Woodstock, the County government, MCEDC, MCCOG, the Woodstock Chamber, and 24 other municipalities. He stated for the past week and a half discussions have taken place on possible actions that may help with the immediate effort centering around the parameters of Restore Illinois, which he detailed. He stated the Plan has divided the state into four regions and identified that there are different situations between the various regions, such as hospital capacity. He noted within the four regions are subdistricts which existed prior to the COVID pandemic. Mayor Sager stated it has been suggested that McHenry County is not similar to Cook County and Chicago, and should not be placed in a broader Northeast Region within the Restore Illinois plan. He indicated this suggestion has been forwarded to the Governor who has stated McHenry County will not be separated.

Mayor Sager stated another effort of the McHenry County collaboration has focused on the Governor's five-phase plan to return to pre-COVID activities. He provided information on the five phases, identifying the parameters of each, noting the Governor has stated all of the four regions are currently

in Phase 2. He stated Phase 2 has certain restrictions, which he described and then reviewed how things open up in subsequent phases. Mayor Sager noted the collaboration has been working on collecting data which would satisfy the Governor's metrics and described the huge supportive effort by the Department of Health, Northwestern Medicine, and Mercyhealth. He stated the information indicates that McHenry County should be in Phase 3, heading to Phase 4. Mayor Sager stated the idea is to work within the Governor's set standards, noting a letter was sent to the Governor today signed by all 25 municipalities and the County providing this information. He stated the County is awaiting word on whether we can move independently to a different phase.

In response to a question from Councilman Tebo, Mayor Sager confirmed anyone in McHenry County can be tested regardless of symptoms.

Applauding this approach, Councilman Turner asked if there is any sense how this information will be received by the Governor. Mayor Sager replied the Governor still has the authority, which is why the collaboration is trying to uphold the metrics he has established giving him all the data to make the point statistically. Noting the Governor must make the decision, Mayor Sager stated the data abides by his statement that not all areas are the same.

Councilman Turner expressed his absolute support for the efforts of Mayor Sager and the mayors of the other governmental units and urged them to be aggressive in the presentation of the science to advocate for McHenry County.

Mayor Sager emphasized this is a strong collaborative effort throughout the county with unanimous support.

In response to a question from Councilman Turner concerning testing, Mayor Sager stated individuals should call the Health Department or contact his or her healthcare provider. In response to a question from Councilwoman Lohmeyer, Mayor Sager stated a news release has been provided to the media concerning the letter to the Governor, noting it will also be placed on the City's web page.

Mayor Sager then stated there have been a number of City efforts to support Woodstock's businesses, including emergency loans. Mr. Anderson gave a summary of the City's loan program, noting 57 applications were received with 53 already funded. He stated this program is intended to be a bridge to help pay short-term expenses until other program funds can be received.

Mayor Sager stated another effort has been to promote and provide information on other programs that are available, noting the wonderful job done by Krista Coltrin in working with the businesses and sending out information on a regular basis. He stated a number of businesses have availed themselves of these various programs, including the federal government's Paycheck Protection Program. He stated many restaurants, bars, and certain other businesses have expressed concerns regarding this particular program, as they cannot open, noting there were complications with some of the other programs as well.

Mayor Sager stated he has been in communication with CMAP, the Mayor's Caucus, and also participates in weekly meetings with Mayor Lightfoot of Chicago in an effort to identify and collaborate on efforts to assist the City's residents and businesses. He stated the previously discussed letter has been sent to Senator Durbin.

Mayor Sager then described other efforts the City has made to assist businesses including the refunding of last year's liquor license fees, with the exception of \$100. He stated of that \$100, \$50 was used for last fiscal year, reducing the annual license fee to \$50 for FY19/20, and \$50 went toward the current FY20/21 liquor license fee, which has also been reduced. Mayor Sager stated video gaming license fee payments have been delayed to November 2nd rather than the May 1st due date.

Mayor Sager opened the floor to Public Comment concerning efforts to date.

Will of the Woodstock Little League thanked Mayor Sager and Councilman Turner for their efforts on behalf of the City during this time. He talked about the effect the Governor's plan has had on Little League, including the financial impact. He expressed his hope they will be able to play this summer. Mayor Sager stated there is not a mayor in the County who has not talked about this issue, noting last night's meeting with Mayor Lightfoot featured a discussion on the impact this has had on youth sports. He thanked Will for his leadership of Little League. Mayor Sager noted the City faces the same problems with Recreation and Aquatic Center Programs, expressing his hope to move through the phases quickly so there still could be some type of activity, if possible.

Jackie Lechner asked if the City will consider permitting small non-essential businesses to reopen if the Governor does not go along with the request from the collaboration. Mayor Sager replied part of this evening's conversation will be how this may be allowed within the guidelines with the hope that this may be done by June 1st while protecting the public's health and welfare. He opined a framework should be developed to prepare to move forward using the available information. In response to further questions from Ms. Lechner, Mayor Sager stated the Governor has not allowed this on a case-by-case basis, noting everyone is obligated to operate within the Governor's guidelines. He stated there are individuals who do not want anything opened and others who want everything opened with proper guidelines. He opined the effort is to find an opportunity to bring these two groups together in a balance to start on the right path.

Councilman Turner stated the level of seriousness on small business is reaching drastic levels, which is why Council is discussing this issue in a responsible way. He expressed his concern about the permanent impact to the community from this crisis.

In response to a question from Gwen Wormley as to what businesses have already closed, Mayor Sager stated DeWane Photography has closed as a result of COVID-19. Stating it would be inappropriate to share private information on specific businesses, he stated he has spoken with most businesses concerning their situations and found almost all businesses are suffering and are considering permanent

closures. Mr. Anderson stated ½ of the loans have been taken by businesses on the Square, ¼ by businesses on Rt. 47, and the other ¼ by businesses in other areas of Woodstock. He noted some businesses have taken advantage of other programs.

Mayor Sager stated everything being discussed about a framework for opportunities for small businesses is being done within the Governor's orders and the Restore Illinois Plan. He stated the primary priority must be the health and welfare of the community and the businesses.

Mayor Sager stated one of the suggestions concerns opening up the Square toward a pedestrian opportunity, blocking off the entire Square, a portion of it, or certain parking areas to allow businesses to utilize public space. He noted currently restaurants have takeout and delivery options, but are prohibited from serving inside their businesses or even outside. He stated the thought is to open the Park in the Square or the streets and set up an area where the restaurants could deliver or the people could take their takeout, and noting alcohol would be permitted with certain restrictions. He emphasized this could be done on public property and that nothing can be consumed on the businesses' properties. He stated another idea is for the City to rent adjacent property owned by another business and establish a seating area to support dining opportunities via a short-term lease. He stated another associated effort would be to do the same thing with the bars. Mayor Sager stated the options could be 1) close the entire Square; 2) close off certain parking areas; 3) section off and close a portion of the Square.

Mayor Sager stated another suggestion has been to open other retail stores for outdoor display of merchandise, allowing a certain amount of inventory to be placed on the public way with containment efforts to control the number of people. In response to a question from Mayor Sager, City Attorney Schlossberg stated the latest information indicates sidewalk sales would not be permitted as it is thought this would encourage groups and there is also a concern about multiple individuals handling merchandise. Mayor Sager asked that she clarify this and continue to investigate.

Mayor Sager opened the floor for Council discussion.

Councilwoman Piersall stated she has many questions asking if there are things that could happen with these plans that are contradictory with Phase 2, noting an individual cannot eat with a mask. She asked how it would be possible to police whether people have been quarantining with those they are eating with. She asked who will be cleaning the tables between uses, opining the restaurants could not control the shared areas and the users will not clean the tables. Councilwoman Piersall asked about liability if someone becomes ill as a result of these policies. She stated she is very leery of allowing alcohol opining this will encourage congregating and behavior contradictory to the guidelines which prohibit non-essential gatherings in Phase 2.

Mayor Sager stated these are issues Woodstock and other municipalities are beginning to work on addressing. Noting Councilwoman Piersall asked good questions, he stated tonight Council is being

asked whether this is something they wish to continue to investigate with specifics considered at the next meeting.

Mayor Sager stated he is not quite as concerned with the aspect of the consumption of alcohol in these designated areas, as the City has found the public to be responsible at events on the Square, but agreed this is something to discuss. He stated the question is are all of the possible questions going to preclude the City from researching this issue further and from developing ordinances to implement these proposed policy changes.

Noting Councilwoman Piersall's statement she would be supportive of this in Phase 3, Mayor Sager stated there are state agencies who opined the entire region or state should be in Phase 3 now, so it could be that Woodstock is already in Phase 3. He noted the effort of the collaboration to make sure McHenry County is designated Phase 3. He also noted some feel the Governor will announce on June 1st that the entire state is in Phase 3.

In response to a question from Councilwoman Piersall, Mayor Sager confirmed the City would pay a nominal fee for any property that is leased from an entity. City Attorney Schlossberg stated there are many issues with this, explaining further, noting it would depend on how the leases are structured.

In response to a question from Councilwoman Piersall, City Attorney Schlossberg stated she is investigating this further, noting this issue may not be fully decided until it is litigated.

In response to Councilwoman Piersall's questions, Chief Lieb stated the Police Department is fully staffed and ready to enforce the City's revised policies and Ordinances.

Councilman Flynn expressed his appreciation for all of the thought that has gone into this issue, stating he would discourage closing the Square because that would eliminate curbside pickup for other businesses.

Councilman Prindiville opined closing the streets would create an environment for a leisure and entertainment economy. He further opined it would encourage people to congregate against the goals of the State's plan to address COVID-19. He stated other businesses are hurting because they are not in the entertainment economy and this would inconvenience those other businesses further. Opining it would not be healthy for the downtown economy to close the streets, Councilman Prindiville advocated for closing parking spaces in front of select businesses.

Discussion turned to certain events. Mayor Sager stated perhaps the Farmer's Market could move back to the Square with the entire Square closed for this period of time. He opined vendors could be staged in the same way as Fair Diddley to provide more space between the vendors and provide an opportunity for organized lines.

Concerning City Band concerts, Mayor Sager suggested a shortened schedule with a reduced number of concerts in July and/or August. He opined the Band could be divided into groups to occupy different areas of the Park in the Square with people listening in their cars surrounding the Park.

Concerning the 4th of July Fireworks, Mayor Sager stated, weather cooperating and with certain protocols, people could park in the grass and view the fireworks from their cars or from identified remote parking lots.

Councilman Turner opined this is about returning to some level of normalcy while considering public health. He opined the ability to spread people out over a large area for band concerts is a good idea. Concerning the Farmer's Market, Councilman Turner opined if it is deemed essential and safe inside why can't it be safe outside if the same protocols are followed. Councilman Turner suggested continuing to monitor the situation and revisit the 4th of July as it is two months away, opining a way should be investigated to do it while maintaining social distancing.

Councilwoman Piersall opined there is no reason the Farmer's Market cannot operate outside on the Square as it is already doing so at the Fairgrounds. Councilman Tebo stated he would like to see the Farmer's Market move to the Square on a trial basis.

In response to a question from Mayor Sager, there were no comments forthcoming from the Public.

Mayor Sager noted the difficulty in finding a balance for all of these issues and the details involved. He asked for a general consensus on whether to move forward and expend the time in terms of a follow up on these items at a future meeting.

Mayor Sager stated the first item is consideration of trying to work with Square businesses, restaurants, and bars relative to opening for take-out and delivery and the use of public areas for consumption of their products and alcohol in these spaces.

Councilwoman Piersall expressed support of this in Phase 3 and continued investigation.

Councilwoman Lohmeyer expressed support of continuing to move forward.

Councilman Tebo expressed support opining these businesses can be saved if the community rallies around them. He also suggested the City encourage take-out. Mayor Sager stated the City has been in discussion with local media outlets concerning this initiative, and the fact that Woodstock is a safe place and supportive of local businesses.

Councilman Prindiville expressed support, opining there needs to be a balance and assurance this will not harm other businesses.

Councilman Flynn expressed support.

Councilman Turner expressed support, urging the City to aggressively move forward on this, noting the seriousness of this for the businesses.

Mayor Sager noted there was unanimous consent to move forward to explore this issue.

Mayor Sager stated the next issue concerns off-Square businesses, restaurants, and bars. He asked if Council is willing to consider, if it would follow state guidelines, for the City to rent or lease property to provide the opportunity for consumption by the Public of take-out/delivery from these businesses.

All Councilmembers expressed support of further investigation of this item, with Councilwoman Piersall opining it is appropriate for Phase 3.

Mayor Sager then asked if Council is willing to undertake further exploration concerning moving ahead with possible consideration of bringing the Farmer's Market back to the Square, holding Band Concerts in some format in the Park in the Square this summer, and exploring ways by which the 4th of July Fireworks could take place.

There was unanimous consensus concerning these items.

In response to a question from Mayor Sager, it was the consensus of the Council that closure of the entire Square be removed from consideration.

In response to a question from Mayor Sager, it was the majority consensus of the City Council, to ask Staff to investigate the closure of certain streets to provide pick-up options and to look at parking spaces in front of businesses as other options.

Mayor Sager stated Staff will look at these issues and bring additional information back to Council for further discussion and action.

In response to a question from Mayor Sager there were no further comments or questions forthcoming from the City Council or the Public.

EXECUTIVE SESSION

Mayor Sager stated the next item on the Agenda is for the City Council to move into Executive Session for the purpose of discussing Personnel issues for specific employees as allowed by 5ILC 120/2(c)(1).

Motion by M. Turner, second by J. Prindiville, adjourn to Executive Session for the purpose of discussing:

Personnel (Open Meetings Act: 5ILCS 120/2(c)(1)(c))

The appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity.

A roll call vote was taken. Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, M. Turner, and Mayor B. Sager. Nays: none. Absentees: none. Abstentions: none. Motion carried.

The Woodstock City Council adjourned to Executive Session at 9:12 PM.

RETURN TO OPEN SESSION

The City Council returned to Open Session at 10:00 PM.

COUNCIL MEMBERS PRESENT IN THE COUNCIL CHAMBERS: Mayor Brian Sager.

COUNCIL MEMBERS PRESENT REMOTELY: Darrin Flynn, Lisa Lohmeyer, Wendy Piersall, Jim Prindiville, Gordon Tebo, and Michael Turner

COUNCIL MEMBERS ABSENT: none

STAFF PRESENT IN THE COUNCIL CHAMBERS: City Manager Roscoe Stelford

STAFF PRESENT REMOTELY: Assistant City Manager/Finance Director Paul Christensen, Human Resources Director Debbie Schober, and City Attorney Ruth Schlossberg.

OTHERS PRESENT IN THE COUNCIL CHAMBERS: City Clerk Cindy Smiley

ADJOURN

Motion by J. Prindiville, second by W. Piersall, to adjourn this special emergency meeting of the Woodstock City Council to the next regular meeting to be held at 7:00 PM on Tuesday, May 19, 2020 in the Council Chambers at City Hall.

Ayes: D. Flynn, L. Lohmeyer, W. Piersall, J. Prindiville, G. Tebo, M. Turner, and Mayor B. Sager.
Nays: none. Abstentions: none. Absentees: none. Motion carried.

The meeting was adjourned at 10:03 PM.

Respectfully submitted,

Cindy Smiley
City Clerk